

**The Chilterns
Conservation Board**

The Lodge
90 Station Road
Chinnor
Oxfordshire
OX39 4HA



Contact: Lucy Murfett, PhD MRTPI, Planning Officer
Tel: 01844 355507
Fax: 01844 355501
E Mail: planning@chilternsaonb.org
www.chilternsaonb.org

Chairman:	Cllr Ian Reay
Vice Chairman:	Helen Tufts
Chief Officer:	Sue Holden

**Statement from the Chilterns Conservation Board
Dacorum Site Allocations DPD Public Examination 2016**

MATTER 11 – POLICY LA5: ICKNIELD WAY, WEST OF TRING

8th September 2016

Examination statement from the Chilterns Conservation Board

Introduction

1. The Chilterns Conservation Board (CCB) is a statutory body established in 2004 under the provisions of the Countryside and Rights of Way Act 2000 to promote the conservation and enhancement of the Chilterns Area of Outstanding Natural Beauty (AONB) and increase the understanding and enjoyment by the public of the special qualities of the AONB. Further information about the Board and our role is set out in Appendix 1.
2. The AONB boundary wraps around Tring and site LA5 contains greenfield land in the AONB (the proposed open space, cemetery extension and traveller site) and greenfield land in the setting of the AONB (the main housing and employment allocation). A map showing the AONB boundary is included at Appendix 2. The Chilterns Conservation Board made representations to Dacorum Borough Council regarding Policy LA5 at the pre-submission plan stage in November 2014, and again in the consultation on the focussed changes in September 2015. The Board raised concerns that Policy LA5 is not sound, not justified and inconsistent with national policy.
3. The Board seeks amendments to LA5 to ensure the conservation and enhancement of the AONB. We recommend reducing the number of dwellings on the site to a level that will ensure that no development is proposed within the Chilterns AONB. The cemetery extension should be located north and west of the existing cemetery; the NEAP placed within the development area, the traveller site (if required) located within the development area, the proposed employment allocation expanded to be made more worthwhile, and the western fields should only ever be used for informal open space or left in agricultural use

Summary of objection

4. In summary, the Board objects on the basis that:
 - No recognition has been given to the likely impacts on the nationally protected Chilterns AONB that would arise from the proposals.
 - The Chilterns AONB and its boundary have not been clearly annotated on all plans to ensure that all readers of the associated documents are aware of what is being proposed and where.
 - The increase in the number of dwellings appears to have led to some elements of the proposed development being pushed out of the main developable area, without any justification for this action being given and without any consideration of the likely implications for the Chilterns AONB.

- The Board considers that none of the proposed developments that have been identified within the Chilterns AONB (cemetery, play area and traveller site) would conserve or enhance the natural beauty of the Chilterns AONB and these elements are therefore contrary to national planning policy, the Chilterns AONB Management Plan and the Council's own development plan.
- The proposed open space is unlikely to be used to any great extent unless it is much more formal in nature (playing pitches for example) and the Board considers that such a change in use would neither conserve nor enhance the natural beauty of the AONB.
- The employment allocation that has been made appears to be too small to be worthwhile.
- The allocation of a traveller site remote from the main developable area is inconsistent when compared to the other allocations that also include such provision (in each case the traveller site is clearly identified within the development area).
- The proposed cemetery extension is not an extension to the main site because it is remote from the main site. As it is removed from the main cemetery the Board considers that its use would ultimately lead to demands for car parking and ancillary buildings which would not be appropriate within the Chilterns AONB.
- The change in the Green Belt boundary to remove the traveller site from the Green Belt appears to circumvent the clear and recently restated message in Government policy that traveller pitches are inappropriate development in the Green Belt (see updated Planning Policy for Travellers August 2015 paragraphs 4d, 16 and 17). The recent changes to the Government Planning Policy for Travellers to the definition of travellers in Annex 1 to exclude those who have permanently ceased to travel should trigger a review and update of the Traveller Needs Assessment by ORS to assess whether the need for pitches remains the same under the new definition of travellers. If the need for additional pitches is lowered, this LA5 proposal in the AONB and Green Belt should be the first to be deleted.

Weight to the give the AONB

5. The Council's proposed allocation in the Chilterns AONB does not give the required weight to the Chilterns AONB.
6. An Area of Outstanding Natural Beauty is an outstanding landscape whose distinctive character and natural beauty are so precious that it is in the nation's interest to safeguard them.

7. An AONB is a statutory designation. AONB boundaries are established by Natural England and, unlike Green Belt, cannot be altered by local authorities through local plan reviews. The legal framework for Areas of Outstanding Natural Beauty is provided by the Countryside and Rights of Way Act 2000¹ (the 'CRoW Act'). This gives local authorities permissive power to take action to conserve and enhance the natural beauty of the AONBs in their areas (section 84(4)). Section 89 requires that a management plan be produced for each AONB to formulate the policies of local authorities for the management of the Area of Outstanding Natural Beauty and for the carrying out of their functions in relation to it. In the Chilterns AONB the plan has been prepared by the Chilterns Conservation Board working in partnership with our thirteen local authorities. The Chilterns AONB Management Plan: A Framework for Action 2014-2019 is given weight through Dacorum Core Strategy Policy CS24 and was formally endorsed by Dacorum Borough Council on 26 May 2015 as a material consideration in the exercise of the Council's planning powers (see Appendix 3). Section 85 of the Act places a statutory duty on relevant authorities to have regard to the purpose of conserving and enhancing the natural beauty of the AONB when exercising or performing any functions affecting land in the AONB. "Relevant authorities" are any public bodies including local and statutory authorities, parish councils and statutory regulators:

Section 85 Countryside and Rights of Way Act 2000 General duty of public bodies etc.

"In exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty, a relevant authority shall have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty."

8. Dacorum Borough Council, like all public bodies, is subject to this statutory duty. Planning Practice Guidance para 003 provides advice on meeting this duty² and refers to the Natural England guidance³ on this. The latter explains that the duty is not discretionary, and that consideration of potential impact on AONB purposes must be carried out with the expectation that adverse impacts will be avoided or mitigated where possible, and that it is good practice to provide written evidence to demonstrate compliance with the duty of regard. This evidence does not appear to be present regarding LA5, or the Dacorum Site Allocations DPD more generally.
9. National planning policy is clear that "great weight" should be given to natural beauty in AONB, which have the same status in planning as National Parks (NPPF para 115):

"Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all

¹ Countryside and Rights of Way Act 2000 <http://www.legislation.gov.uk/ukpga/2000/37/section/85>

² PPG <http://planningguidance.communities.gov.uk/blog/guidance/natural-environment/landscape/> see paragraph 003

³ England's statutory landscape designations: a practical guide to your duty of regard

<http://webarchive.nationalarchives.gov.uk/20160908000001/http://publications.naturalengland.org.uk/publication/3003>

these areas, and should be given great weight in National Parks and the Broads". (NPPF para 115).

10. Local strategic policy in the adopted Dacorum Core Strategy is that for market towns like Tring, development will be supported and accommodated provided that (inter alia) it "causes no damage to the existing character of the settlement or its adjoining countryside" and is "compatible with policies protecting and enhancing the Green Belt, Rural Area and Chilterns Area of Outstanding Natural Beauty" (Policy CS1 Distribution of Development). The Core Strategy provision for the urban extension west of Tring did not include a traveller site and set out that "The layout, design, density and landscaping must create a soft edge and transition with the Area of Outstanding Natural Beauty and secure a defensible long term Green Belt boundary". Policy CS24 on the Chilterns Area of Outstanding Natural Beauty establishes that "The special qualities of the Chilterns Area of Outstanding Natural Beauty will be conserved. The scarp slope will be protected from development that would have a negative impact upon its skyline. Development will have regard to the policies and actions set out in the Chilterns Conservation Board's Management Plan and support the principles set out within the Chilterns Buildings Design Guide and associated technical notes."
11. Saved Dacorum Borough Local Plan 1991-2011 policy 97 on the Chilterns Area Of Outstanding Natural Beauty sets out that "In the Chilterns Area of Outstanding Natural Beauty the prime planning consideration will be the conservation of the beauty of the area; the economic and social well-being of the area and its communities will also be taken into account. Any development proposal which would seriously detract from this will be refused. Wherever development is permitted it will be on the basis of its satisfactory assimilation into the landscape."

Impact and harm

12. The impact on the AONB of a new traveller site within the AONB does not appear to have been assessed by Dacorum BC. No evidence on locational need and analysis of alternative sites outside the AONB has been produced by the Council. Paragraph 110 of the NPPF sets out that:

"In preparing plans to meet development needs, the aim should be to minimise pollution and other adverse effects on the local and natural environment. Plans should allocate land with the least environmental or amenity value, where consistent with other policies in this Framework."

This site in the AONB, particularly the western fields within the AONB, is not the land with the least environmental or amenity value in the district.

13. It is unlikely that a new traveller site could be provided in the Chilterns Area of Outstanding Natural Beauty, nationally designated as one of Britain's finest landscapes, without harm to the designation objectives and its special qualities. It should be stressed that any development that takes place in the AONB should bring about conservation or enhancement of the natural beauty of the AONB.

14. The primary purpose of AONB designation is the conservation and enhancement of the natural beauty of the landscape⁴. Natural beauty includes landscape, flora and fauna, geological or physiographical feature and heritage, including archaeology, historic environment and settlement character⁵. Conserving and enhancing natural beauty is not just a case of screening or disguising new development to avoid or reduce visual impact.
15. The current plan proposals for LA5 are unlikely to conserve and enhance landscape, flora and fauna or settlement character. The cemetery, even if a natural burial ground, is likely to involve formalised tree planting, paths, benches, plaques and potentially future pressure for car parking. The public open space would change the character from open agricultural land, especially if (as suggested in the draft masterplan⁶) sports pitches or play areas like Neighbourhood Areas Equipped for Play (NEAP) are included. Furthermore there is no defensible boundary. Once a 'bite' has been taken out of the open land of the AONB and Green Belt, the western fields could be subject to pressure for future housing, employment or traveller development, and be at risk from unauthorised encampments.
16. A traveller site, like a housing development, is likely to change the character and appearance of land. It brings permanent changes as visual impact from the development, from fencing and amenity buildings, and the new access, visibility splay, signage, loss of undeveloped open land and wildlife habitat, noise, lighting and light spill. The harm is similar but different from that that would arise from a conventional housing scheme. Traveller sites tend to have limited architectural merit and do not comply with the principles of the Chilterns Building Design Guide⁷. The Design Guide, adopted by Dacorum BC as SPG and referred to in Core Strategy policy 24, sets out guidance on ways in which the outstanding and distinctive qualities of the Chilterns AONB can be conserved and enhanced when building takes place. It promotes the use of traditional building materials, locally made, to reinforce the local vernacular of brick, flint and clay tiles. It advises against earthworks like mounds, bunds and 'cut and fill' which cause disruption to the natural lie of the land. Enclosing the traveller site within a bund with tree planting on top is unlikely to be desirable or effective, the trees are likely to suffer from water stress and poor survival.
17. There are no plans prepared showing the layout or appearance of the traveller site, this is not covered in any detail in the DBC masterplan. In the absence of this, information can be gleaned from the (withdrawn) CLG Good Practice guidance on Designing Gypsy and Traveller Sites (2008), which explains that:
- For practical reasons, caravan sites require a greater degree of land usage per household than for smaller houses and Gypsy and Traveller sites are no exception.

⁴ Countryside and Rights of Way Act 2000 section 82 <http://www.legislation.gov.uk/ukpga/2000/37/section/82>

⁵ [Chilterns AONB Management Plan 2014-2019: A Framework for Action](#) Glossary (examination library EN1)

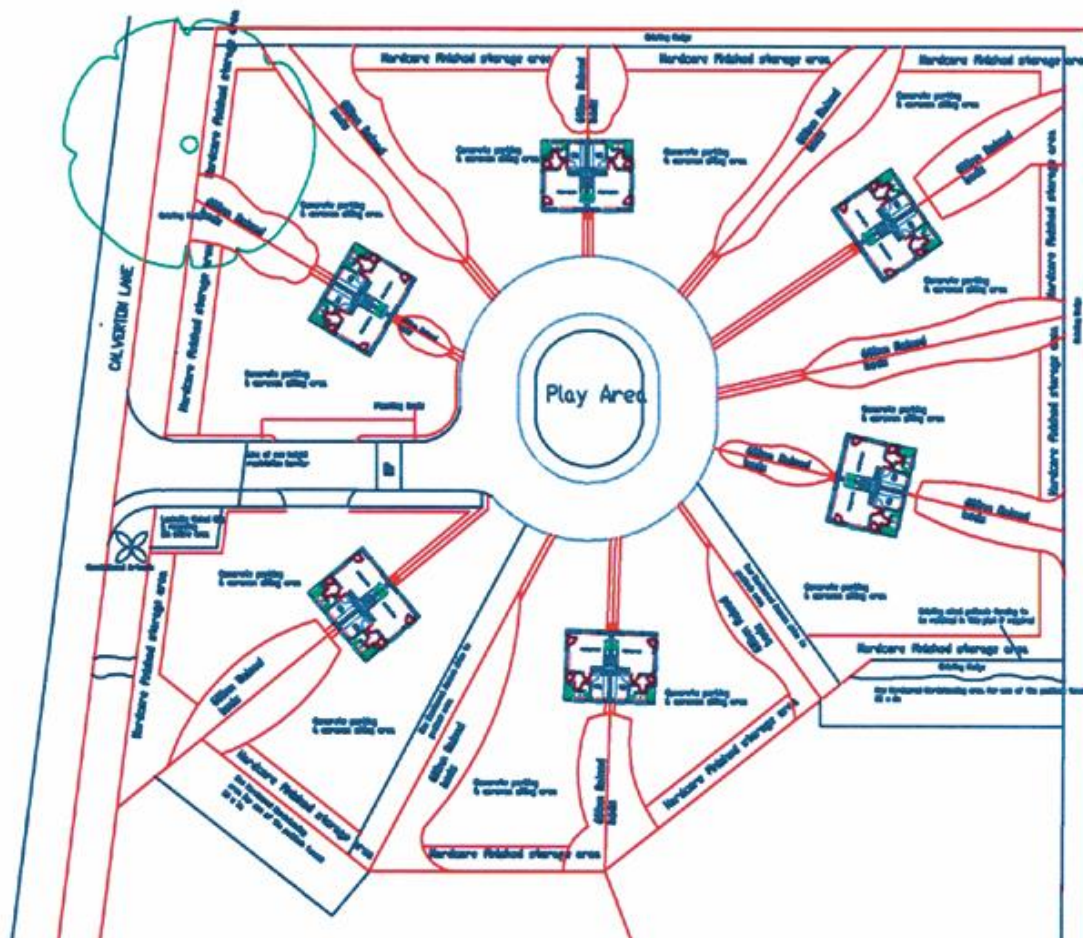
⁶ Local Allocations Masterplans Draft LA5, 2015, DBC (<http://www.dacorum.gov.uk/docs/default-source/strategic-planning/la47-la5-master-plan-draft-oct-2015.pdf?sfvrsn=4> examination library document LA47)

⁷ Chilterns Buildings Design Guide 2010, <http://www.chilternsaonb.org/conservation-board/planning-development/buildings-design-guidance.html> (examination library document EN8)

In making comparisons it needs to be recognised that there is for example no equivalent on a site to two or more storey accommodation in housing.

- Gypsy and Traveller sites are designed to provide land per household which is suitable for a mobile home, touring caravan and a utility building, together with space for parking
- Many Gypsies and Travellers prefer a circular or horseshoe design rather than the more traditional linear layout of pitches.

The cover of the guidance document provides a diagram of an example circular layout:



Source: CLG Designing Gypsy and Traveller Sites Good Practice Guide, 2008

18. It is unclear in the case of LA5 who would manage and deliver the traveller site, with no indication of interest from a registered social landlord, the Council or private traveller site operators or families. An example of an architect designed, modern, refurbished, authorised site is Woodside Park in the Green Belt near Rugby (see photographs below). The Chilterns Conservation Board considers that the absence of green space, the amenity blocks, extensive hard surfacing, lighting columns etc. demonstrated by this example would be intrusive and harmful to the natural beauty of the Chilterns AONB.



Source of both images: <http://www.wm-saunders.co.uk/portfolio/woodside-park/>

19. Since many travellers are self-employed, there may be a call for space for business activities as well. There is a risk of the adjacent open space being used in future for storage, horse grazing, unauthorised parking or unauthorised pitching of caravans.

LA5 proposals effects on landscape character

20. The LA5 site sits within the National Landscape Character Areas of the Chiltern Hills⁸. It is part of the Tring Gap Foothills in the Dacorum Landscape Character Assessment SPG⁹. The Tring Gap Foothills are assessed, in terms of visual and sensory perception, as being “widely visible from surrounding areas and in particular from the scarp slopes and plateau edge to the south. From Tring town there are some open views to the landscape...The presence of Tring town within the centre of the area and the associated urban fringe uses serves to disrupt the coherence of the area.” The visual impact is described as “Tring is locally intrusive to the north, through the presence of selected buildings e.g. the space age styled leisure centre and by the various sports facilities to the south east of the town. To the south vernacular properties sit easily with the adjacent pasture while Tring Mansion and the Zoological Museum create a distinctive interface with the park. In contrast the A41 Tring Bypass represents a major intrusion both through its presence and the damage caused to the parkland. This has been further compounded by an unsightly footbridge which severs the lime avenue.”
21. Although the LA5 site is subject to existing detracting influences of the road corridors and street lighting columns, this is no reason to diminish it in terms of value. The Countryside and Rights of Way Act 2000 uses the terminology ‘conserve and enhance’ the AONB. The ‘sufficiency of natural beauty’ necessary to designate AONB refers to the area as a whole, suggesting that all areas have equal significance regarding natural beauty, hence the importance of the ‘enhance’ part of the purpose. Therefore the ambition for land within the AONB that is subject to detracting influence must be to enhance it. The Chilterns AONB Management Plan¹⁰ contains aims and policies to this effect (see fuller extracts at Appendix 4):
- Development Board Aims: Ensure that development conserves and enhances the special qualities and characteristics of the Chilterns
 - Ensure that the distinctive character of the built and natural environment of the Chilterns is improved, especially where it is degraded or subject to any negative impacts of development.
 - Policy D11: Enhancement of the landscape of the AONB should be sought by the removal or mitigation of intrusive developments.
 - Policy L5: Developments which detract from the Chilterns’ special character should be resisted.

⁸ National Character Area profile 110 Chilterns

<http://publications.naturalengland.org.uk/publication/4977697?category=587130>

⁹ Tring Gap Foothills <http://www.hertfordshire.gov.uk/docs/pdf/a/Area114.pdf> Landscape Character Assessment For Dacorum: Supplementary Planning Guidance (examination library document EN13)

¹⁰ [Chilterns AONB Management Plan 2014-2019: A Framework for Action](#) Glossary (examination library EN1)

22. There is no landscape and visual impact assessment (LVIA) provided by the Council to assess the impacts of LA5, including those on the AONB. In the absence of this, the Council cites in the draft masterplan the Barton Willmore LVIA commissioned by CALA homes and published in August 2012¹¹. This identifies that the western fields, named F4 and F5, including the land proposed as cemetery, traveller site and open space, have a high landscape character sensitivity (plans reproduced in Appendix 5 and 6 of this statement). The LVIA states that the west of Tring proposals will affect landscape character. It recommends at section 6.1 development only on fields F1, F2 and F3, not on fields F4 or F5.
23. This LVIA was produced in August 2012 before a traveller site was added. No subsequent LVIA update has been produced to assess the effects of the latest masterplan proposals which include development on the high landscape sensitivity fields F4 and F5. We understand that Tring Town Council has commissioned a new LVIA for the examination but this statement has been produced without the benefit of seeing this new work.
24. It is clear that the LA5 proposals do not follow the recommendations in the 2012 LVIA that the western fields are of high landscape sensitivity and not for development. The Chilterns Conservation Board advises that development should be deleted from fields F4 and F5.

Traveller pitch requirements

25. The August 2015 change in Government policy with the publication of Planning Policy for Travellers altered the definition of travellers in Annex 1 to exclude those who have permanently ceased to travel. Consequently the Council's evidence base is now out of date; the Traveller Needs Assessment by ORS requires review to assess whether the need for pitches remains the same under the new definition of travellers.
26. The focus should be on meeting needs of those who qualify under the new 2015 definition of travellers (likely to be a smaller number than those previously included), and doing so in a way that is compatible with national and local strategic planning policy and the statutory requirement for public bodies to have regard to the nationally designated AONB landscape. If the pitch requirement proves lower, the traveller site in the LA5 proposal in the AONB should be the first to be deleted. Even if the pitch requirement is maintained or raised, better alternatives should be sought to a new traveller site on the western fields of LA5.

¹¹ [Land West of Tring Landscape & Visual Impact Assessment](#) Prepared on behalf of CALA Homes (South) Ltd. August 2012, examination library document LA54

Recommended changes

27. The Board's seeks the following changes to the Site Allocations document in order to make it sound:

- Amend the text of the allocation to refer to the Chilterns AONB and what the likely implications are (the majority of the site is within the setting of the AONB and part of the site is within the AONB).
- Include the AONB and its boundary on all plans and maps associated with the proposed allocation.
- Reduce the number of dwellings on the site to a level that will ensure that no developments are proposed within the Chilterns AONB and will allow: an extension to the cemetery in line with the Concept Masterplan Option 1 (immediately to the north and west of the existing cemetery); the NEAP to be placed within the development area where it would be more likely to be used; the traveller site (if still required following an update of Traveller Needs Assessment) to be identified as part of the development area which would be consistent with the other proposed allocation sites, and an extension to the proposed employment allocation that would be more worthwhile.
- Ensure that the text of the document is explicit that the western fields should only ever be used for informal open space or left in agricultural use.

Conclusion

28. National policy in the NPPF is clear that "Plans should allocate land with the least environmental or amenity value" (para 110) and that "Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty" (para 115). The LA5 proposals as currently set out do not achieve this and need modification.

29. The proposals are also inconsistent with local strategic policy in the Dacorum Core Strategy policies CS1 and CS24, with saved Dacorum Borough Local Plan policy 97 on the Chilterns AONB, and do not comply with the Chilterns AONB Management Plan or the Chilterns Buildings Design Guide SPG.

30. The Council has not yet demonstrated that it has met the duty of regard under the CRoW Act to conserving and enhancing the natural beauty of the AONB.

31. The Chilterns Conservation Board is grateful of the opportunity to make these representations at the Examination.



The Chilterns Area of Outstanding Natural Beauty

The Chilterns AONB was designated in 1965 for the natural beauty of its landscape and its natural and cultural heritage. In particular, it was designated to protect its special qualities which include the steep chalk escarpment with areas of flower-rich downland, woodlands, commons, tranquil valleys, the network of ancient routes, villages with their brick and flint houses, chalk streams and a rich historic environment of hillforts and chalk figures.

Chilterns Conservation Board

The Chilterns Conservation Board is a statutory independent corporate body set up by Parliamentary Order in 2004 under the provisions of Section 86 of the Countryside and Rights of Way (CRoW) Act 2000.

The Board has two statutory purposes under section 87 of the CRoW Act:

- a) To conserve and enhance the natural beauty of the AONB; and
- b) To increase the understanding and enjoyment by the public of the special qualities of the AONB.

In fulfilling these roles, if it appears that there is a conflict between those purposes, Conservation Boards are to attach greater weight to (a). The Board also has a duty to seek to foster the economic and social well-being of local communities within the AONB.

Like all public bodies, including ministers of the Crown, local authorities and parish councils, the Chilterns Conservation Board is subject to Section 85 of the CRoW Act which states under “General duty of public bodies etc”

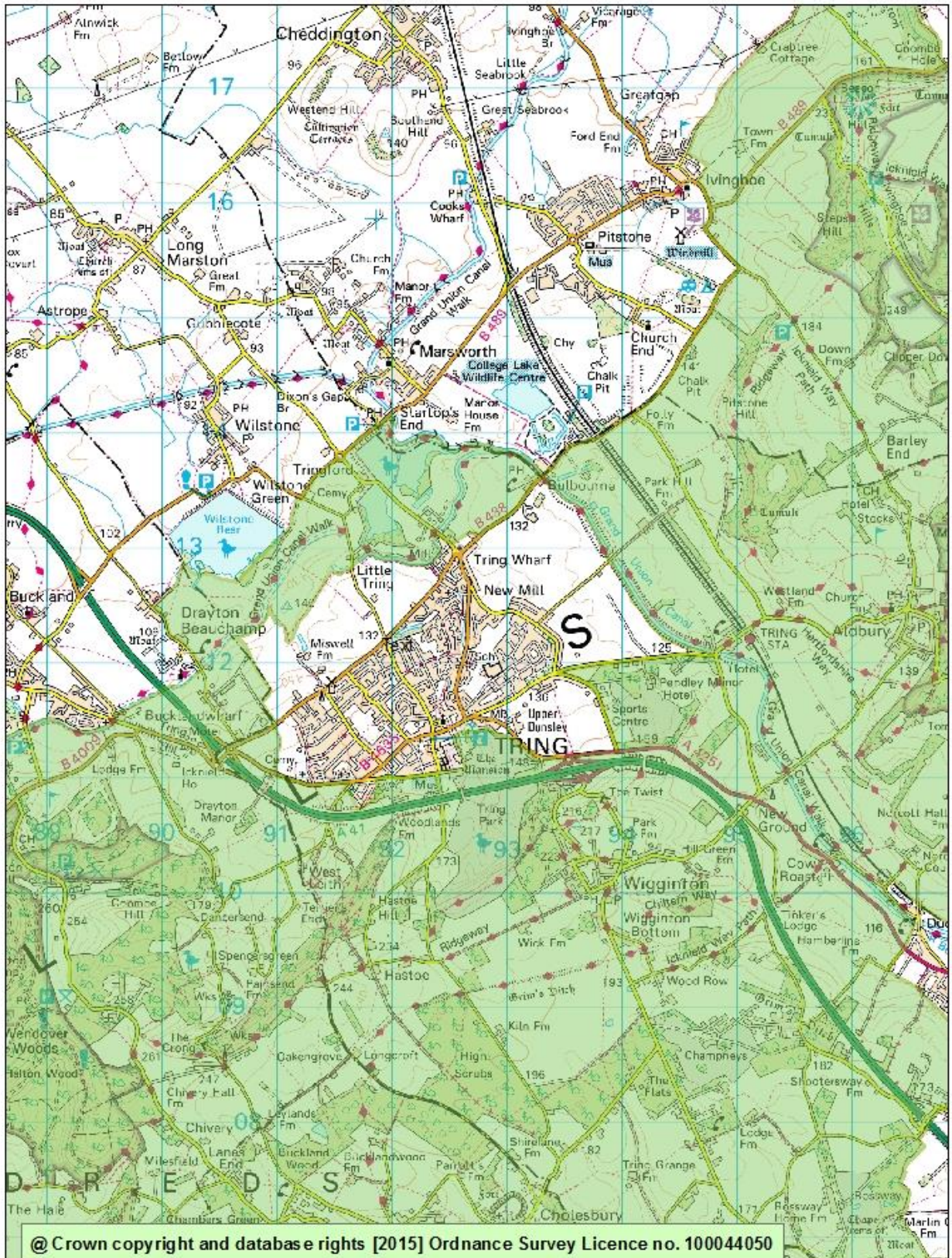
“(1) In exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty, a relevant authority shall have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.”

List of Organisations providing Nominees to the Chilterns AONB Conservation Board

The Chilterns Conservation Board has 27 board members, all drawn from local communities:

- Buckinghamshire, Hertfordshire and Oxfordshire County Councils
- Central Bedfordshire and Luton Borough Councils (unitary authorities)
- Aylesbury Vale, Chiltern, North Hertfordshire, South Buckinghamshire, South Oxfordshire, Three Rivers and Wycombe District Councils
- Dacorum Borough Council
- The Central Bedfordshire, Buckinghamshire, Hertfordshire and Oxfordshire Parish Councils (6 elected in total), and
- DEFRA (8 in total).

Appendix 2: Map of AONB boundary around Tring



 Chilterns AONB Boundary

**Appendix 3 Dacorum Borough Council endorsement of the Chilterns AONB
Management Plan**

Notes of Key Decisions/Action Points

Meeting: Cabinet

Date: 26 May 2015

<u>Agenda Item</u>	<u>Decision</u>	<u>Contact Portfolio Holder/ Officer</u>
26 May 2015 CA/031/15 Item 1 Minutes.	The minutes of the meeting held on 21 April 2015 were agreed by the members present and signed by the Chairman.	
26 May 2015 CA/032/15 Item 2 Apologies for Absence.	Apologies for absence was received on behalf of Councillor Griffiths.	
26 May 2015 CA/033/15 Item 3 Declarations of Interest.	There were no declarations of interest.	
26 May 2015 CA/034/15 Item 4 Public Participation.	There was no public participation.	
26 May 2015 CA/035/15 Item 5 Referrals to Cabinet	There were no referrals to Cabinet.	
26 May 2015 CA/036/15 Item 6 Cabinet Forward Plan.	That the Cabinet Forward Plan be noted, subject to the following amendments: <u>29 June 2015</u> 10. Process for Disciplinary Action of Senior Officers to be removed and merged with Amendment of Standing Orders Regarding Disciplinary Action. <u>21 July 2015</u> 17. Pavement Strategy to be removed and merged with Hemel Hempstead Town Centre Policy for Use of Outdoor Trading Areas, which will now be called Town Centre Management update including the Business Improvement District and the Outdoor Trading areas.	Corporate Management Team.
26 May 2015 CA/037/15 Item 7 Endorsement of	1. To endorse the AONB Management Plan 2014-2019 as a material consideration in the exercise of the Council's planning powers.	Cllr A Williams, Portfolio Holder for Regeneration; James Doe, Assistant Director

Chiltern Area of Outstanding Natural Beauty (AONB) Management Plan 2014-2019.		for Planning & Regeneration; Laura Wood, Team Leader Strategic Planning & Regeneration; Laura Badhman, Technical Assistant Strategic Planning & Regeneration.
26 May 2015 CA/038/15 Item 8 Provisional Outturn 2014/15	<ol style="list-style-type: none"> 1. Consider the provisional outturn position for each of the above accounts. 2. Recommend to Audit Committee approval of the reserve movements outlined in Section 9 	Caroline Souto, Team Leader Financial Planning & Analysis; James Deane, Corporate Director, Finance & Operations
26 May 2015 CA/039/15 Item 9 Housing Allocations Policy Review	<ol style="list-style-type: none"> 1. Recommend Council to approve the amendments to the Housing Allocations Policy as set out in paragraph 3 of the report 2. Approve the content of the proposed communications strategy regarding the Housing Allocations policy 	Cllr M Griffiths, Portfolio Holder for Housing; Isabel Connolly, Strategic Housing Team Leader (Property); Julia Hedger, Group Manager, Strategic Housing
26 May 2015 CA/040/15 Item 10 Exclusion of the Public.	That, under s.100A (4) of the Local Government Act 1972 Schedule 12A Part 1 as amended by the Local Government (Access to Information) (Variation) Order 2006 the public be excluded during the items in Part 2 of the Agenda for this meeting, because it is likely, in view of the nature of the business to be transacted, that, if members of the public were present during those items, there would be disclosure to them of exempt information relating to the financial and business affairs of the Council and third party companies/organisations.	
26 May 2015 CA/041/15 Item 11 Development Update.	That decisions 1, 2, 3 and 4, as detailed in the report, be approved. Full details are in the part 2 minute.	Cllr M Griffiths, Portfolio Holder for Housing; Julia Hedger, Strategic Housing Group Manager; David Barrett, Interim Development Manager; Sarah Pickering, Housing Development Lead Officer.

This Decision Sheet is published today, 28 May April 2015. The Call-In deadline is 5.00 pm on 04 June 2015.

Appendix 4. Extracts (Development chapter) from the Chilterns Area of Outstanding Natural Beauty Management Plan 2014-2019, Chilterns Conservation Board

Development

Introduction



Bradenham

1. The attractiveness of the Chilterns' landscape is due to its natural, built and cultural environment. It is not a wilderness but countryside adorned by villages, hamlets and scattered buildings. It is surrounded by large towns, though there are few hard urban edges, and is within easy commuting distance of London, all of which increase the pressure for new development. As a result house prices in the Chilterns are amongst the highest in the country and there is a severe shortage of affordable housing.
2. Towns, villages, hamlets and individual buildings all form a vital part of the character of the Chilterns, particularly because of the widespread use of local building materials (bricks, clay tiles and flint) and the locally distinctive

architecture. There are also examples of modern interpretations of the local vernacular which sit happily within the AONB. However, new development, both within the AONB and its setting, should conserve and enhance the natural beauty of the area. There may be instances where architect or design panels could be usefully employed.

3. The Chilterns is very accessible due to the number of roads, railway lines and waterways running through it. Major transport routes link the Chilterns to London and other major cities and towns. With the exception of a single road (the modern successor to the Icknield Way) which follows the foot of the escarpment, very few transport links run south west to north east. The network of ancient routes, railways and canals has added

to the cultural heritage of the Chilterns, but more recent works have often had a negative impact on the landscape.

4. The continued pressures for new development, particularly housing, create demand for aggregates and other minerals for construction. Historically, large quantities of chalk were extracted to manufacture cement, but these quarries are now largely redundant. Two relatively small brick-making enterprises survive using local clay.
5. Local communities generate considerable quantities of waste. This should generally be dealt with in close proximity to where it is produced. However, redundant quarries are not suitable for land filling and, other than on a small and local scale, it is unlikely that there will be suitable sites for new energy from waste plants. County councils and unitary authorities are responsible for waste recovery provision, disposal capacity, quarry reclamation and energy from waste and reference should be made to relevant minerals and waste local plans and core strategies when appropriate.

Broad Aims

- Ensure that development conserves and enhances the special qualities and characteristics of the Chilterns.
- Ensure the distinctive character of the built and natural environment of the Chilterns is improved, especially where it is degraded or subject to any negative impacts of development.
- Ensure that local authority development plans, as they affect the AONB, are compatible with the purposes of AONB designation.

Special Qualities

1. The attractiveness of the Chilterns' landscape is partly due to its settlements and buildings.
2. There are many attractive villages such as Ewelme, Turville, Hambleden and Aldbury which are popular places to live in and visit.
3. The Chilterns has a distinctive vernacular architecture based on the use of local brick, clay roof tiles and flint. Despite this, other architectural styles ('Metroland' for example) have also had an important influence.
4. There are many notable individual buildings and follies including stately homes, monuments, mausoleums and windmills. They provide interest in the landscape and support the tourist industry.
5. There is a wealth of medieval churches, many built from flint.
6. There is a strong link between the management of the countryside and the character of old and new development. The vernacular architecture, as so often, was based almost entirely on the use of locally available materials. In the Chilterns this included clay to make bricks and roof tiles, timber, chalk for mortar and flints from fields and quarries. All these materials remain available for new development.
7. Many buildings are of historical importance either in their own right or because of the people with which they are connected.
8. The ancient lanes, canals and railways (including significant Brunel bridges) are important parts of the landscape.

Key Issues

1. The Chilterns and surrounding areas are under considerable pressure to accommodate significant numbers of new houses as well as other forms of development.
2. There is continuing pressure to locate large scale developments in the AONB or its setting. Assessment of the Impact of these proposals needs to accord with national policy as set out in the National Planning Policy Framework (paragraphs 113, 115 and 116)¹.
3. The retention of open space and the need to try and restrict the scale of new development are key to conserving the natural beauty of the AONB. Equally, the provision of new green infrastructure (GI) may help alleviate some of the pressures from existing development.
4. New development of all types needs to respect vernacular architecture, settlement character and the local landscape. This will require developers to do more than try to use standard designs. The Board has published guidance on design and the use of building materials and encourages the preparation of Landscape and Visual Impact Assessments where appropriate.
5. There is a need for active promotion of environmentally sensitive construction methods and the necessary skills, particularly in the use of locally produced building materials.
6. All new development needs to accord with the highest environmental standards to minimise impact on the environment and help mitigate the causes of climate change. This means maximising energy efficiency and minimising water use (by the inclusion of rainwater harvesting or grey water recycling for example). In order to help avoid flooding and to encourage aquifer recharge sustainable drainage systems should be encouraged.

7. There is a need for the design of new buildings to show adaptation to climate change, for example to ensure buildings remain cool in the summer without using air conditioning.
8. Society must seek ways of reducing its demand for energy (switching off streetlights is one of many) and reduce its dependency upon fossil fuels by switching to renewable energy sources. The options include solar, wood fuel, ground source, hydro and wind, all of which have some potential in the Chilterns. It is the prospect of wind turbines which would be most controversial. It is highly unlikely that large-scale wind turbines would be appropriate because of the relative lack of wind and the visual intrusion, especially along the ridge of the escarpment but also when located outside the AONB within its setting. However, there is scope for installation of smaller domestic-scale turbines in less intrusive locations where there are suitable wind speeds. The use of wood fuel would be the preferred option because of the extent of the woodland resource which is currently under-utilised.
9. There is a need for a better understanding and awareness of what contributes to local distinctiveness, especially amongst those groups who propose, design and approve new development.
10. In some places the attractiveness of the landscape is diminished by degraded sites, unattractive buildings and other structures and their use. The challenge is to remove, screen or mitigate the visual intrusion.
11. There is an increasing need to guide developments and activities which are exempt from normal planning controls in order to ensure that the cumulative impacts of clutter and inappropriately designed buildings do not lead to further problems of urbanisation.

12. The physical impact of transport infrastructure and its use have major environmental impacts. Any assessment of the environmental damage or benefits needs to be given greater weight. This includes ensuring that the design, use and management of transport infrastructure, including maintenance and small works, do not damage environmental quality. The impacts of new schemes and expansion of existing facilities will need very careful consideration to ensure the conservation and enhancement of the natural beauty of the AONB. Roads should be constructed and surfaced to minimise noise pollution, a particular problem along the motorways (M40, M25 and M1) and trunk roads. The Board and highway authorities have published the Environmental Guidelines for the Management of Highways in the Chilterns² which, amongst many issues, seeks reductions in road side clutter and light pollution.

13. The small number of active and redundant quarries within the AONB and its setting require long term plans to be in place once quarrying has ceased. It will be vital to maintain the environmental qualities they now have (e.g. Chinnor Quarry is a geological SSSI). It is unlikely that landfill would be an acceptable use.
14. The Chilterns is a wealthy area and produces a significant amount of waste per capita. It is unacceptable to send waste out of the area in which it was generated. In future, efforts must concentrate on minimising waste and dealing with it in close proximity to where it is produced. The option of energy from waste will no doubt continue to be investigated. The choice of suitable sites will be contentious. It is unlikely that large scale plants could be accommodated within the Chilterns AONB without unacceptable environmental impacts.



Horseshoe Hill House near Wooburn, winner of the 2012 Chilterns Buildings Design Awards

¹ National Planning Policy Framework (Department for Communities and Local Government, March 2012)

² See www.chilternsaonb.org/board-publications

Policies

D1 The natural beauty of the Chilterns AONB should be conserved and enhanced by encouraging the highest design standards, reinforcing local distinctiveness and respecting the landscape, settlement character and special qualities of the AONB.

The design and location of new development and the extensive use of standardised, suburban designs and non-local materials has in the past resulted in many villages losing some of their special and distinctive character.

There is a need for a greater understanding of the factors that contribute to the visual harmony between built development and the landscape, and to local distinctiveness and the sense of place, so that these qualities can be conserved and enhanced through sensitive and imaginative design, and the character of existing settlements can be positively improved where appropriate.

It is the role of the Local Planning Authorities to firmly apply policies which safeguard the AONB from further detrimental change, while accommodating the small-scale development necessary for the continued economic and social well-being of Chiltern communities.

D2 High standards of development which respect vernacular architectural styles and demonstrate appropriate best practice in the use of traditional materials (flint, brick, roofing materials and timber) should be promoted.

Buildings design guidance can help inform those involved in decision-making as well as helping landowners, developers, designers and local communities to plan for and control change in an appropriate way. The Board has published the Chilterns Buildings Design Guide and Supplementary

Technical Notes on Chilterns building materials³. The Design Guide now addresses additional issues such as climate change, energy and water efficiency, renewable energy, and the development of new agricultural and other rural employment buildings.

When endorsed by the Local Planning Authorities the Design Guide should be taken account of as a significant material consideration in determining planning applications. The Design Guide has also aimed to reduce the impact of some of the works which are 'Permitted Development' and do not require planning permission. If carried out unsympathetically these developments can contribute to the increasing 'suburbanisation' of the countryside.

D3 The sustainable use of local natural resources (timber, clay and flint) for local building purposes should be supported by seeking their use in new developments.

Bricks, tiles and flint are still commonly used in new developments. Local clay is still used for brick making by the remaining local brickworks. The development of other small workings may be possible which would serve a useful purpose by providing a source of locally-made materials for use in the area, ensuring compatibility with the materials traditionally used. Another source of locally produced building materials are the Totternhoe Clunch pits. They are only opened occasionally to provide material for historic building restoration. Although small-scale these activities also provide local employment opportunities.

The Conservation Board actively promotes environmentally sensitive construction methods (primarily the use of locally-produced building materials and lime mortar) through the production and use of its Supplementary Technical Notes on Chilterns building materials – flint, brick and roofing materials (clay tiles in particular).

When responding to relevant planning applications the Board will seek the use of local building materials because of the positive impacts that their use would have on the landscape and environment. Developments should conserve or enhance the natural beauty of the AONB and planning applications should comply with the Chilterns Buildings Design Guide and Supplementary Technical Notes.

D4 The retention of the local brick-making industry should be supported by seeking the use of locally-made bricks in new developments, consistent with the principles of environmental sustainability and the Chilterns Buildings Design Guide and related Supplementary Technical Notes⁴.

Within the Chilterns there are two remaining brick-makers. They are small in scale and make high quality bricks in traditional ways. The support for the use of such local materials in sensitive ways will not only help to ensure a continued supply of high quality, traditional building materials, but will also help developments to have limited impacts whilst contributing to local distinctiveness. If used locally such building materials will have travelled a limited distance and will emit lower levels of CO₂ in their transport comparative to other materials.

D5 Appropriate development (especially affordable housing) should be encouraged, particularly on previously developed land, if it will improve the economic, social and environmental well-being of the area whilst having regard to the special qualities of the AONB.

Sustainable development involves meeting current needs without compromising the ability of future generations to meet theirs. This entails accommodating change whilst maintaining and, wherever possible, enhancing the quality of the

environment for all. There will also be a need to meet the economic and social needs of the people who live and work in the Chilterns. Improvement of the economic, social and environmental well-being of the area might be achieved through:

- the delivery of affordable housing for local needs (including key workers and those in agriculture);
- improved employment opportunities;
- maintaining the viability of the rural economy;
- addressing the general decline in, and improved access to, key rural services, and
- open space, GI provision and biodiversity enhancements.

D6 Where new housing development is proposed this should only be permitted if its scale, massing and density reflect the local context and have regard to the special qualities of the AONB.

The Board will generally support the provision of smaller residential schemes that lead to the provision of affordable and local needs housing. All housing schemes should be sustainably located and should take particular account of the settlement's and site's contexts and should reflect densities that are prevalent locally. The operation of nationally agreed minimum densities is not always appropriate and in order to deliver wider benefits and the conservation of the special qualities of the AONB it may be better to operate to lower, maximum, density levels.

³ See www.chilternsaonb.org/buildings-design-guidance

⁴ See www.chilternsaonb.org/buildings-design-guidance

D7 The retention of agricultural buildings for rural enterprise should be encouraged.

In the past numerous agricultural buildings have become redundant and been converted. In many cases the conversion has been to a residential unit, thus these buildings have been lost from productive use. This has been recognised and it is considered desirable to try and ensure the retention of current agricultural buildings for productive uses, particularly if they are no longer suitable for their current use. Retention of such buildings should help in fostering the economic and social well-being of communities within the AONB. Pressure on this finite resource has increased due to changes in the Permitted Development Rights regime that would allow certain changes to take place without the need for planning permission.

D8 The retention or creation, and long term maintenance, of green infrastructure should be sought when development is proposed in, or adjacent to the AONB.

With significant pressure for housing and employment growth there will be a need to provide green open space (often via developer contributions) in the form of GI (which can take many forms⁵ and have multi-functional benefits for biodiversity, landscape, access and in contributing to sustainable drainage), provided this does not conflict with the purposes of the AONB's designation. In addition, the enhancement or expansion of existing GI resources may help the area cope with pressures from existing development. For new developments that are on the edge of the AONB, there will also be opportunities to improve degraded landscapes and access to the countryside, to improve connectivity of habitats and to try and lessen the impact of development on the setting of the AONB. This may be brought about, if very carefully controlled, through biodiversity offsetting on appropriate sites.

⁵ See glossary

D9 Full account should be taken of the likely impacts of developments on the setting of the AONB.

There is increasing pressure for both large- and small-scale development within the setting of the AONB. Greater appreciation is required of what the likely impacts may be of such development, particularly as the views both out of and back to the AONB are fundamental to the enjoyment of the AONB itself. Similarly, more account needs to be taken of such impacts, and to this end the Board has prepared a position statement on this matter⁶ and encourages the preparation of landscape and visual impact assessments where appropriate.

D10 A reduction in the damaging impacts of utilities and other infrastructure should be sought.

Many telecommunications masts were sited within the AONB in the past resulting in damaging landscape impacts. There has been a slowdown in the roll out of new systems which has meant that there are fewer applications for new masts, though with a desire for more rapid roll out of high speed broadband this may change. Other infrastructure can include overhead electricity lines, associated poles or pylons and ancillary buildings, wind turbines and underground utilities.

A reduction in the damaging impacts may be achieved by the removal of redundant masts, the better design and siting of new masts and other equipment through the application of guidance, the removal of overhead electricity lines and associated poles or pylons, appropriate location and siting of new wind turbines and better landscape treatment of any works associated with any changes to underground utilities.

⁶ See www.chilternsaonb.org/position-statements

D11 Enhancement of the landscape of the AONB should be sought by the removal or mitigation of intrusive developments.

There is a need to ensure that all developments conserve and enhance the natural beauty of the AONB. Actions to improve the quality of the AONB landscape, particularly where it is eroded, should be promoted where possible. This would be particularly valuable in the following contexts:

- around the fringes of urban areas, to soften the often harsh edge of new residential and other developments;
- in locations where it helps to screen or integrate unsightly buildings or structures;
- in strategic locations where it could help to reduce the visibility of intrusive infrastructure, and
- where it would result in the removal or enhancement of unsightly buildings or other eyesores.

Encouragement should also be given to the replacement or improvement of elements which detract from visual harmony, including: domestic features such as inappropriate urban styles of fencing and clutter (such as washing lines and children's play equipment); street and other forms of lighting that lead to light pollution, as well as overhead electricity lines. The cumulative impacts arising from such detracting elements should also be taken account of. Guidance on some of these issues is given in the Chilterns Buildings Design Guide⁷.

⁷ See www.chilternsaonb.org/buildings-design-guidance

D12 Developments should be sought that represent the highest environmental and design standards whilst complementing the character of the AONB.

Developments within the AONB and its setting should achieve the purpose of conserving and enhancing the natural beauty of the AONB, whilst being undertaken to the highest standards. The Board will work with others to promote measures which will help people and buildings to adapt to climate change, subject to the overriding consideration of the need to be compatible with the character of the built and natural environment. Some of the measures that will be considered include: a greater understanding of the embedded energy in any development; the increased use of local building materials; water and energy efficiency; the way that buildings are orientated, and allowing for more comfortable living conditions with increased summer shading.

Flooding is increasingly becoming an issue. In order to try and alleviate this problem, as well as to encourage aquifer recharge, sustainable drainage systems should be incorporated in the design of new development. This may be achieved by requiring the provision of sustainable drainage systems through local plan policies. If well-designed these can also benefit biodiversity. When considering developments in proximity to rivers, local planning authorities should also give due regard to any impacts on the rivers and their riparian ecology.

Various ways of decreasing water usage could be implemented. These include rainwater harvesting, the incorporation of grey water recycling and the installation of water meters in new developments.

D13 The use of renewable energy (particularly wood fuel, solar, hydro-power and ground source heat pumps) should be encouraged in appropriate locations.

There may be pressure for the development of wind power in the Chilterns in the future, and full account should be taken of the potential impacts on the landscape, including the setting of the AONB. Other renewable energy forms that may be developed include solar (hot water and photovoltaics), small-scale hydro schemes and waste from woodland management and timber production. Solar power and ground source heat pumps are more likely to be installed at the domestic scale and there may be some supply from community based hydro-electric schemes. The use of locally sourced woodfuel from existing woodland could support both domestic-scale and community-based combined heat and power schemes. Encouragement will be given for many of the renewable energy technologies in appropriate locations and in accordance with the Board's Position Statement on Renewable Energy⁸. However, particular care will be needed in order to ensure that the significance of heritage assets is not adversely affected.

D14 The special qualities of the Chilterns should be conserved and enhanced by reducing the noise and other detrimental impacts on tranquillity generated by the development and operation of transport networks and services and other infrastructure.

The tranquillity of the Chilterns AONB is one of the special qualities of the area that attracts many of the tens of thousands of visitors that come each year. This tranquillity is often ruined by the noise and activity associated with the development and operation of some of the numerous transport networks (road, rail and air principally) that run through, near or over the AONB. There are also other infrastructure networks (electricity generation and distribution for example) that cut across the AONB.

Growth in air traffic is continuing and expansion plans for major airports would exacerbate this. Significant numbers of passengers arrive at airports by car and there will therefore need to be much greater provision of public transport in order to allow modal shift. Any proposals to alter flight paths in order to allow more aircraft to fly over the AONB will be strongly opposed and the Board will seek changes to take air traffic away from the AONB.

The detrimental impacts of the networks and other infrastructure can be reduced by various means which may include: using low-noise road surfacing; switching off street lights; providing suitable mitigation measures (appropriate planting or the undergrounding of overhead power lines and removal of poles or pylons for example), and giving greater consideration to the number, direction and height of flight paths associated with airports.

D15 A reduction in the number and frequency of night flights over the AONB and a reconsideration of night flight policies, particularly at Luton Airport, should be sought.

One of the greatest impacts on the tranquillity of the AONB arises from the number and frequency of flights over the area. Many of these occur during the night, though significant impacts also occur at the beginning and end of the night period when people are either trying to go to sleep or close to waking up. Most airports have strictly controlled night flight policies which seek to reduce such impacts on people living close to an airport or below flight paths. However, Luton Airport does not currently have such policies in place and changes will therefore be sought.

⁸ See www.chilternsaonb.org/position-statements

D16 The environmental impacts on the Chilterns (including those arising from through traffic) of quarrying and the operation of landfill sites and other waste management facilities within and adjacent to the AONB should be minimised.

There are few active chalk quarries left within or near the AONB and any landfill operations associated with redundant workings will need to be very closely monitored and managed. Workings for aggregates are generally nearby rather than within the Chilterns AONB. However, deposits in the Thames Valley are known to extend into the AONB. Development pressures will maintain demand for aggregates. The Board will resist proposals for quarrying within the AONB due to the damaging impacts of both extraction and the through traffic associated with transportation.

Of equal concern are the impacts that might arise from the development and operation of other waste management facilities such as energy from waste plants, household waste recycling sites and anaerobic digestion plants.

D17 Whilst conserving and enhancing their biodiversity, geological and archaeological features, the restoration and management of redundant quarries, and their assimilation back into the landscape, should be promoted.

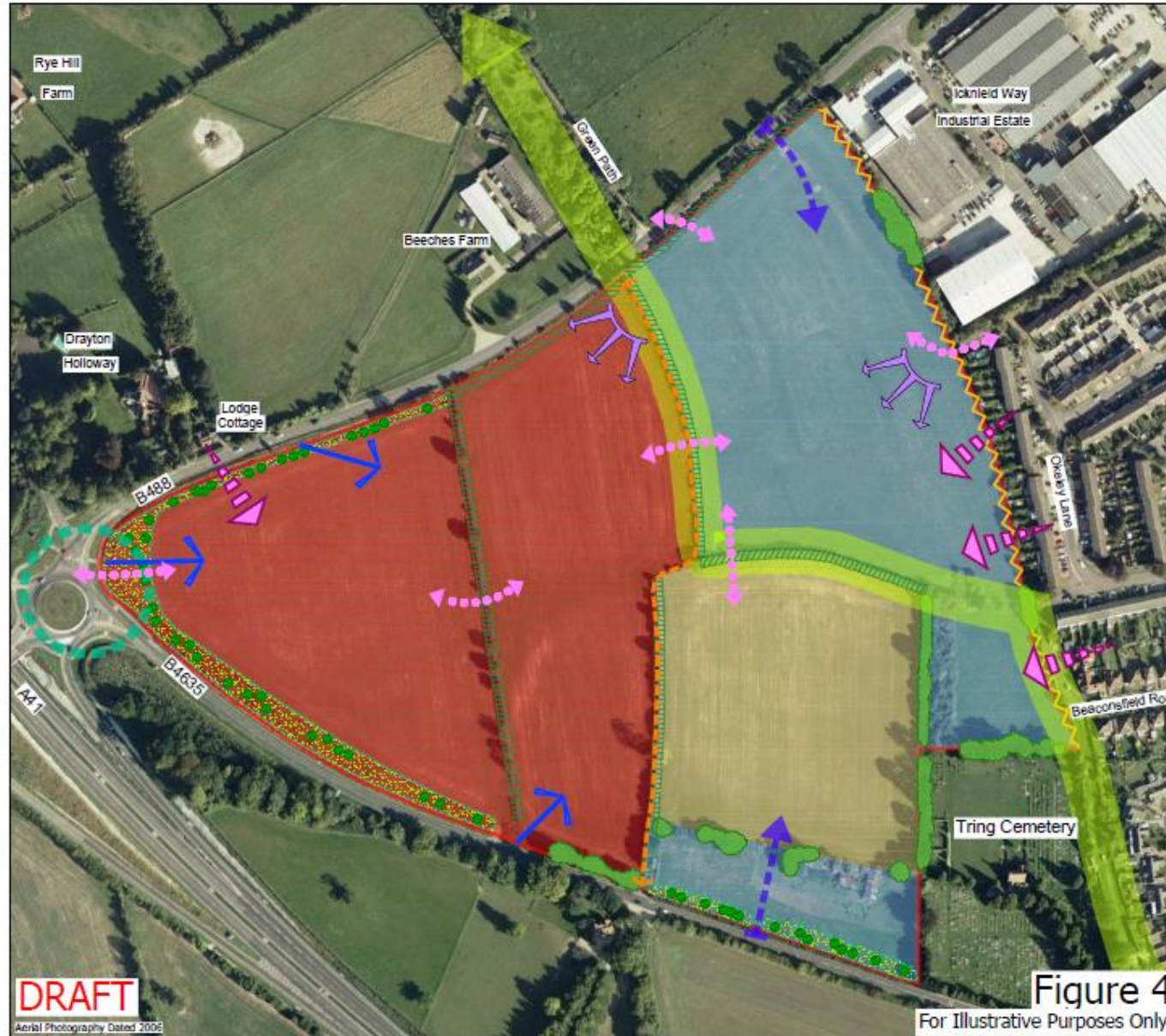
Large chalk quarries had a dramatic impact on the landscape, although only Kensworth in Central Bedfordshire is still active. Any restoration and management plans should ensure that any environmental qualities (including geological or archaeological remains) are maintained, protected and interpreted. In such cases landfill proposals are unlikely to be appropriate. Should landfilling take place in the future in smaller sites, only inert waste should be used and restoration of the site back into the landscape should be achieved using appropriate contouring whilst encouraging biodiversity.

Some quarries may be suitable for the development of both passive and active recreational facilities in conjunction with low-key associated infrastructure (informal car parks, picnic areas and nature trails for example). The development of wildlife habitats, where natural re-vegetation has occurred or wet areas remain, will be encouraged.

D18 The reduction of waste should be promoted by supporting policies which result in re-use, reduction and recycling of waste materials.

In the future there is going to be a greater focus upon 'sustainable waste management'. This will involve moving away from the landfilling of waste. Other methods of waste management may result in demand for sites for waste reduction, waste transfer or energy from waste plants which are likely to prove difficult to accommodate in the AONB. It will be important to ensure that any waste facilities are sensitively sited and located to avoid detrimental impacts on the landscape or settlement character and to avoid disturbance to local amenity.

Appendix 5 Barton Willmore LVIA Figure 4 Landscape Development Principles Plan (also in examination library as LA54)



The scaling of this drawing cannot be assured
 Revision _____ Date _____ Dwn _____ Ckd _____

LEGEND

- Site Boundary
- Landscape Character Sensitivity**
- Low landscape character sensitivity
- Medium landscape character sensitivity
- High landscape character sensitivity
- Green Infrastructure Opportunities**
- Urban wildlife corridor identified in Spatial Diagram of Tring Place Strategy
- Green Gateway identified in Spatial Diagram of Tring Place Strategy
- Access Opportunities**
- Potential vehicular access (subject to Highways advice)
- Existing Public Rights of Way
- Potential links/improvements to existing Public Rights of Way network
- Visual Opportunities and Constraints**
- Maintain views towards Chilterns escarpment
- Open views into the site
- Opportunities for key views across the ADMS towards the urban edge
- Site Features**
- Maintain and enhance existing good condition landscape features
- Enhance poor to moderate condition landscape features with native planting
- Retain existing individual trees and tree belts
- Opportunities to improve existing urban edge



Project
Land West of Tring

Drawing Title
Landscape Development Principles Plan

Date	Scale	Drawn by	Check by
06.08.2012	1:2,500@A3	MK	CRH
Project No	Drawing No	Revision	
21156	L4	A	



Planning • Master Planning & Urban Design
 Architecture • Landscape Planning & Design • Project Services
 Environmental & Sustainability Assessment • Graphic Design

bartonwillmore.co.uk



Office at Reading London Bristol Cambridge Cardiff Exeter Edinburgh Leeds Manchester Salford

DRAFT

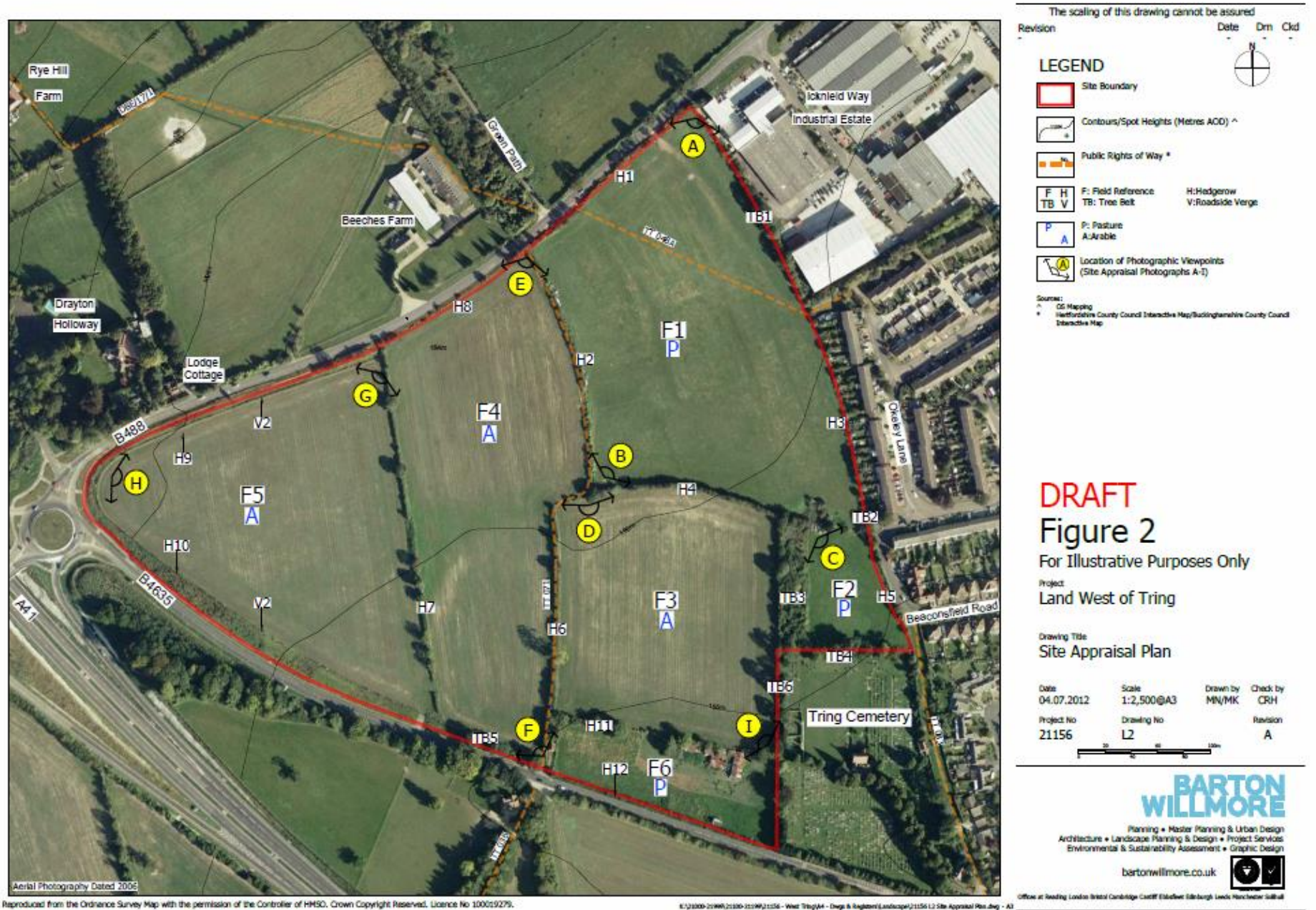
Aerial Photography Dated 2006

Figure 4
 For Illustrative Purposes Only

Reproduced from the Ordnance Survey Map with the permission of the Controller of HMSO. Crown Copyright Reserved. Licence No. 100019279.

©\2009-2010\21156-21156-1156 - West Tring\4 - Design & Register\Landscape\21156-L4 Open Area Plan Rev.06 - A3

Appendix 6 Barton Willmore LVIA Figure Landscape Development Principles Plan showing field numbers (also in examination library as LA54)



Appendix 7 View across site LA5 field F4 from viewpoint E on the B488 Icknield Way showing unspoilt views to wooded Chilterns Hill escarpment, August 2016.



Under the plan proposals this would change to a view over public open space including a Neighbourhood Area Equipped for Play, and a travellers site behind the trees